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Defendant(s).

ORDER

The Court has conducted a *de novo* review of the record in this case in accordance with 28 U.S.C. §636(b)(1)(B) and (C) and Local Rule IB 3-2 and determines that the Order and Report of Findings and Recommendation of Magistrate Judge Leen should be affirmed, accepted and adopted.

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1 IT IS THEREFORE ORDERED that Magistrate Judge Leen's Order and Report of
2 Findings and Recommendation (#3, entered April 28, 2010) is AFFIRMED, ACCEPTED and
3 ADOPTED, and Plaintiff's Complaint is dismissed.

4 Dated: May 25, 2010.

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7 **ROGER L. HUNT**
8 Chief U.S. District Judge
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